

33 Whitehall Street Suite 1200 New York, NY 10004 212-607-8600

February 19, 2019

CSG Partners, LLC 40 Fulton Street, Sixth Floor New York, NY 10038

Sent via email

Re: Choate Construction Company Employee Stock Ownership Plan

E&M Logistics Inc. Employee Stock Ownership Plan

Envision Management Holding, Inc. Employee Stock Ownership Plan

W BBQ Holdings, Inc. Employee Stock Ownership Plan

## Dear Custodian of Records:

We're conducting an inquiry to determine compliance with Title I of the Employee Retirement Income Security Act (ERISA). The Plans listed above have been selected for review as part of this broader inquiry.

Attached is a document request for documents and records in connection with our review. Please have the documents listed on the attachment for inspection and retention within the next 15 days. Please email me at herzog.carol@dol.gov or call me at (212) 607-8631 if you have any questions concerning the documents required to be produced.

Thank you for your cooperation.

Sincerely,

Carol Herzog

Supervisory Investigator

New York Regional Office

Employee Benefits Security Administration

**Enclosures: Document Request** 

The U.S. Department of Labor's Employee Benefits Security Administration (EBSA) administers and enforces Title I of the Employee Retirement Income Security Act. Learn more at dol.gov/agencies/ebsa.

## ATTACHMENT

When document request refers to "Company," please use the following list:

- 1. Choate Construction Company
- 2. E&M Logistics, Inc.
- 3. Envision Management Holding, Inc.
- 4. W BBQ Holdings, Inc.

When document request refers to "Plan," please use the following list:

- 1. Choate Construction Company Employee Stock Ownership Plan
- 2. E&M Logistics Inc. Employee Stock Ownership Plan
- 3. Envision Management Holding, Inc. Employee Stock Ownership Plan
- 4. W BBQ Holdings, Inc. Employee Stock Ownership Plan

When the document request refers to "communications", this is defined as any oral, written, electronic or other exchange or transmission of information (in the form of facts, ideas, inquiries, opinions, analysis or otherwise), including correspondence, memos, reports, emails, electronic mail, electronic documents, telephone conversations, telephone or voicemail messages, face-to-face meetings or conversations, and Internet postings and discussions.

## Documents to be produced:

## FOR YEARS 2014 THROUGH THE PRESENT:

All documents included on the document sharing platform, data room, or digital workspace between CSG Partners, LLC ("CSG") and the Company and/or Plan;

- 1. All documents exchanged and/or other communications between CSG, the Company and/or any of its employees, officers and directors and/or any fiduciary of the Plan concerning the value of the Company, all matters affecting the value of the Company, forecasts respecting its future performance, and/or the establishment or operation of the Plan, including any documents summarizing or referring to discussions of such matters, including but not limited to minutes and/or notes of any meetings;
- 2. All documents exchanged and/or other communications between CSG, the Company, and/or any of its employees, officers and directors and/or any fiduciary of the Plan and the valuation firm (i.e. Stout Risius Ross, LLC, ComStock Advisors, LLC) concerning the value of the Company, all matters affecting the value of the Company, forecasts respecting its future performance and/or the establishment or operation of the Plan, including any documents summarizing or referring to discussions of such matters.

- 3. All documents exchanged or other communications between CSG and any service provider to the Company and/or the Plan and/or any of its employees, officers and directors concerning the Plan, including any documents summarizing or referring to discussions of such matters, including but not limited to minutes and/or notes of any meetings.
- 4. All documents concerning any financial transactions made between CSG and the Plan and/or the Company including but not limited to contracts, letters of intent or memoranda.
- 5. All documents reflecting communications or negotiations between CSG and any other person, including but not limited to the selling shareholders or officers of the Company, involving purchase and/or sale of any shares in the Company,